IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO.1200 OF 2005
IN
CRIMINAL APPEAL NO.662 OF 2002

Ravi Aiyyar,
presently at Yerwada Central Prison,
C/13985. .. Applicant.

v/s.

The State of Maharashtra .. Respondent.

Ms.Usha D. Andewar for applicant.

Ms.P.H.Kantharia, Additional Public Prosecutor for the State.

CORAM : R.M. LODHA AND
R.S. MOHITE, JJ.

DATED : 24th February, 2005

P.C.

Heard Ms.Usha D. Andewar, the learned counsel for the accused-applicant.

2. Interaila, the accused has been convicted of the offence punishable under section 302 IPC for having committed murder of Jabar Sadik Shaikh.

3. PW3 in his deposition before the court stated thus-

> "The time was between 6.00 a.m. to 7.00 a.m. I had woken up on hearing the noise of almierah. I had seen that Ravi Ayyar was trying to open that almierah. Jabar Sadik had come in and told Ravi Ayyer not to open that almierah. He asked Ravi Ayyar why he was trying to steal the money from

> that almierah. Ravi Ayyar had lifted a stone had hit it on my left shoulder. I had received a painful injury and had sat down. Ravi Ayyar had held and pressed the mouth of Jabar Sadik and dragged him out. Ravi Ayyar had taken him in kitchen. He had closed the door connecting these two room. I remained in that room which we call as office room as the cash is kept therein. Jabar Sadik was shouting and scraning within to 3 minutes the shouting and scranning had stopped."

4. The deposition of PW3 at this stage can be said to connect the accused with the crime.

5. No case for grant of bail is made out.

6. The bail application is, accordingly, rejected.

(R.M. LODHA, J.)

(R.S. MOHITE, J.)